

REMARKS

Applicants submit the present *Amendment After Final* in response to the *Final Action* mailed September 27, 2007. Applicants appreciate the continued allowance of Claims 12, 18-19, 21, 50-52, 55-58, 60 and 63-64, and the indication that Claims 27 and 65-66 are directed to allowable subject matter. For the reasons discussed below, Applicants respectfully submit that all of the pending claims are now in condition for allowance. Applicants also respectfully submit that withdrawn Claims 53-54, 59, 61-62 and 67 are now in condition for reinstatement. Accordingly, for the reasons discussed herein, Applicants respectfully request entry of the present amendment, reinstatement of withdrawn Claims 53-54, 59, 61-62 and 67, and the passing of the present application to issuance.

I. The Claim Amendments

Applicants have amended Claims 20 and 31 to address the informalities identified in the *Final Action*. Applicants appreciate the Examiner bringing these informalities to Applicants' attention. Applicants have also incorporated the recitations of allowable Claim 27 into Claim 24, thereby placing Claim 24, and Claims 30 and 67 depending therefrom, into condition for allowance. Claim 27 has been cancelled in light of this amendment. Applicants have rewritten allowable Claim 65 into independent form, so that Claims 65 and 66 are also in condition for allowance. Finally, Applicants have cancelled withdrawn Claims 25-26 and 68-69. As each of the claim amendments (1) addresses a matter of form for which correction was required in the *Final Action*, (2) cancels a claim or (3) rewrites a claim into independent form thereby placing the claim into condition for allowance, entry of the present *Amendment After Final* is appropriate.

II. Withdrawn Claims 53-54, 59 and 61-62 Should be Reinstated

Claims 25-26, 53-54, 59, 61-62 and 67-69 were withdrawn in response to the Election Requirement in the *Office Action* of June 15, 2007. Applicants have cancelled Claims 25-26 and 68-69. Independent Claim 50, which is a generic claim, now stands allowed. As noted in the June 15, 2007 *Office Action*, Applicants are entitled to have withdrawn claims that

include all of the recitations of an allowed generic claim reinstated into the case and allowed. Accordingly, as Claims 53-54, 59 and 61-62 each depend either directly or indirectly from allowed generic Claim 50, reinstatement and allowance of Claims 53-54, 59 and 61-62 is appropriate at this time and respectfully requested.

III. The Rejections of Claims 24 and 30 and the Reinstatement of Claim 67

Claims 24 and 30 stand rejected under 35 U.S.C. § 103(a) as being obvious over U.S. Patent No. 6,157,065 to Huang et al. ("Huang") in view of U.S. Patent No. 6,518,113 to Buynoski ("Buynoski"). Applicants have added the recitation of allowed Claim 27 into Claim 24. Accordingly, Claim 24, and Claim 30 depending therefrom, are both in condition for allowance. In addition, Claim 67 depends from Claim 24. Accordingly, reinstatement and allowance of Claim 67 is also appropriate at this time and respectfully requested.

IV. The Rejections of Claims 22-23, 28-29 and 31

Claims 22, 28-29 and 31 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Huang. Claim 23 stands rejected under 35 U.S.C. § 103(a) as being obvious over Huang in view of Buynoski. Applicants respectfully traverse the rejections of Claims 22-23, 28-29 and 31.

In particular, Applicants respectfully submit that Huang does not disclose or suggest the semiconductor device of independent Claim 22 which has "**first and second gates lines [that are] collinear**." The *Final Action* states that, in Fig. 4E of Huang, the gate oxide layer and polysilicon layer 404 comprise first and second gate lines and that these gate lines 404 are collinear. (*Final Action* at 2). The Response to Arguments section of the *Final Action* explains that the gate lines 404 of Huang are considered to be collinear because they "are on the same line plane of the semiconductor substrate." (*Final Action* at 5). Applicants respectfully submit, however, the term "collinear" has a very specific, well understood meaning that is inconsistent with the interpretation of "collinear" that has been applied in order to reject Claim 22. In particular, a search on google.com of "definition collinear" brings

up a website entitled "Definitions of Collinear on the Web" that provides the following definitions for the word "collinear:"

- Lines or points belonging to the same line or an extension of that line.
www.scsc.k12.in.us/Technology/PLTW/GLOSSARY-IED.htm
- lying on the same line
wordnet.princeton.edu/perl/webwn
- Collinear points lie along a straight line. The three axis points cannot be collinear because graph coordinates are therefore impossible to compute.
digitizer.sourceforge.net/usermanual/glossary.html
- if three or more points lie on the same line
ghs.gc.k12.va.us/now/awinfree/Geometry/Geometry%20Extras/Study%20Guides/sqbasics.htm

Likewise, Webster's Third New International Dictionary – the dictionary that is typically cited by the United States Court of Appeals for the Federal Circuit – defines "collinear" as "**lying in the same straight line**" and as "**having a straight line in common.**" Webster's Third New International Dictionary, 1986) (copy attached). **Thus, for two gate lines to be "collinear", they must each comprise segments that are part of the same line.** As can clearly be seen from FIG. 4E of Huang, the gate lines 404 depicted therein are not part of the same line, but instead comprise **parallel** line segments. This shows that the rejections interpret the claim phrase "collinear" to mean "parallel", which (1) is not a proper definition of "collinear" and (2) is directly contrary to each of the definitions of "collinear" provided above which require that collinear objects **all lie along the same straight line.** Thus, Applicants respectfully submit that Huang clearly does not disclose or suggest "first and second gates lines [that are] collinear" as recited in Claim 22. As such, Applicants respectfully request withdrawal of the rejection of Claim 22 as anticipated by Huang.

Claims 23, 28-29 and 31 each depend from Claim 22, and hence are patentable over the cited art at least as depending from a patentable base claim.

In re: Gyu-Ho Lyu, et al.
Application Serial No.: 10/777,297
Filed: February 12, 2004
Page 11

V. Conclusion

For the foregoing reasons, Applicants respectfully submit that the present application is in condition for allowance, which is respectfully requested.

Respectfully submitted,



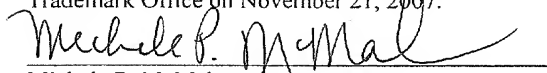
D. Randal Ayers
Registration No. 40,493
Attorney for Applicants

Customer Number 20792

Myers Bigel Sibley & Sajovec, P.A.
P.O. Box 37428
Raleigh, NC 27627
919-854-1400
919-854-1401 (Fax)

CERTIFICATION OF ELECTRONIC TRANSMISSION UNDER 37 CFR § 1.8

I hereby certify that this correspondence is being transmitted electronically via EFS to the U.S. Patent and Trademark Office on November 21, 2007.



Michele P. McMahan

Date of Signature: November 21, 2007.